

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0124

Date: March 26, 2001

Claimant /Victim KEDIST SEBHAT
BY: (Atty) (Ins. Co.) _____
Address: 3088 Hazelwood Drive, SW, Atlanta, Georgia 30311
Subrogation: _____ Claim for Property damage \$ 1,800.00 Bodily Injury \$ _____
Date of Notice: 2/14/01 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 12/27/00 Place: 3088 Hazelwood Drive, SW
Department PUBLIC WORKS Division Sewer Operations
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant alleges that she sustained damages to her home from a sewer back up. However, an investigation determined that the City did not have notice of any problems at this location prior to the December 27, 2000 occurrence. The City is immune from liability as set forth in O.C.G.A. §36-33-1.

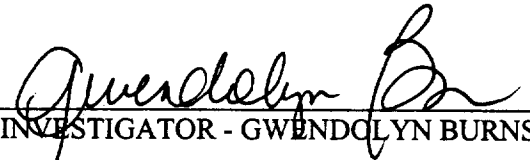
INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other X
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____


BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ _____ Adversely X Account charged: 1A01 _____ 2J01 _____ 2H01 _____
Claims Manager:  Concur/date 03-27-01
Committee Action: _____ Council Action _____

RECEIVED FEB 14 2001 *BURNS*

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES *02/15/01*

Today's Date: *2-2-2001* *Chn*

Dear Municipal Clerk:

ENTERED - 2-19-01 - SB
01L0124 - GWEN BURNS

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 1800 property and/or \$ 0 bodily injury for which I contend the City is liable.

1. Date of incident: 12-27-000 (month/day/ year) 2. Time of Incident: 10AM 3. Police called: Yes No
4. Location of incident (including street address): 3088 HAZELWOOD DR Atlanta GA 30311
5. Name of your insurance company: _____ Policy No. _____
6. State what and how incident occurred: GA. Sewage Backed up

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: _____
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: _____
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: Deborah Robinson 4466 HEARN RD 404-310-8921
(Name) (Address) (Telephone Number)

10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Kedist Serhat
Signature of Claimant

Kedist SERHAT
(Print Claimant's Name)

3088 HAZEL WOOD DR
(Address)

Atlanta GA 30311
(City, State and Zip Code)

404 763-1342 404691-3023
(Work Number) (Home Number)

01-R-0557

Entered -02-19-01 - sb
CL 01L0124 - GWENDOLYN BURNS

CLAIM OF:

01- R-0557

KEDIST SEBHAT
3088 Hazelwood Drive, SW
Atlanta, Georgia 30311

For property damages alleged to have been sustained from a sewer
back up on December 27, 2000 at 3088 Hazelwood Drive, SW.

THIS ADVERSED REPORT IS
APPROVED

BY: 
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY